

IN THE UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF OHIO - EASTERN DIVISION

RONALD M. LISAN, M.D.,

Plaintiff,

JUDGE PATRICIA A. GAUGHAN

-vs-

CASE NO. 1:18-CV-00969

ROBERT WILKE, ACTING SECRETARY  
OF THE UNITED STATES DEPARTMENT  
OF VETERANS AFFAIRS,

Defendant.

- - - -

Deposition of BRUCE KAUFER, RN, MSN, taken as  
if upon cross-examination before Pamela S.  
Greenfield, a Certified Realtime Reporter,  
Registered Diplomate Reporter and Notary Public  
within and for the State of Ohio, at the offices  
of Sindell & Sindell, LLP, 23611 Chagrin  
Boulevard, Suite 227, Beachwood, Ohio, at  
9:50 a.m. on Friday, March 8, 2019, pursuant to  
notice and/or stipulations of counsel, on behalf  
of the Plaintiff in this cause.

- - - -

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**Bruce Kafer, RN, MSN - March 08, 2019  
Deposition**

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34 On behalf of the Defendant.

35 ALSO PRESENT:

36 Ronald Lisan, M.D.

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1 Q. Okay. So the 18th the meeting was cancelled?

2 A. No.

3 Q. Here. It's right here.

4 A. January 11th.

5 Q. I'm sorry.

6 A. The meeting was cancelled.

7 Q. You are correct. The day before. On January  
8 11th the meeting was cancelled for January 12th,  
9 the meeting that was set for January 12th,  
10 correct?

11 A. I think so.

12 Q. Well, it says it, doesn't it? 10:00 a.m.?

13 A. Oh. Yeah. Thursday.

14 Q. Yes?

15 A. Okay. Yes.

16 Q. And the cancellation letter refers to "our  
17 meeting." Would that have included Dr. Raphaely?

18 A. Possibly. It looks to be that way.

19 Q. Okay.

20 A. It would not be unusual for a supervisor to be in  
21 a meeting with, related to RA.

22 Q. Okay. Who cancelled the meeting?

23 A. I did.

24 Q. Why?

25 A. I don't recall exactly. There was a conflict so

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1 I communicated as quickly as possible because I  
2 know he's busy and Dr. Raphaely seemed to be able  
3 to always find him, so...

4 Q. Okay. So on Wednesday the meeting for Thursday  
5 is cancelled. The cancellation says that you're  
6 going to reach out directly. You, Bruce Kafer --

7 A. Correct.

8 Q. -- "will reach out directly with what has been  
9 decided based on your medical documentation;" is  
10 that correct? That's what it says?

11 A. Correct. That's what it says.

12 Q. All right. Then the next day instead of a  
13 meeting that had already been cancelled Ronald  
14 Lisan writes the following to you:

15 "I was notified yesterday that the planned  
16 meeting for my reasonable accommodation request  
17 was cancelled - I was not given a reason why."

18 Did I read that correctly?

19 A. Yes, you did.

20 Q. Okay. And that's accurate. It was cancelled  
21 yesterday, meaning on Wednesday the 11th of  
22 January, right?

23 A. Yes.

24 Q. Then he writes, "That is currently a significant  
25 issue, since I have received communication from